### IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

ePLUS INC.,	)
Plaintiff,	) Case No. 3:09-cv-620 (REP)
V.	)
LAWSON SOFTWARE, INC.,	)
Defendant.	) )

# DEFENDANT LAWSON SOFTWARE, INC.'S MOTION TO EXCLUDE IMPROPER OPINIONS AND ARGUMENTS FROM EPLUS'S EXPERTS AT THE CONTEMPT HEARING

Defendant Lawson Software, Inc. ("Lawson"), by counsel, respectfully moves to preclude from the contempt hearing testimony from Dr. Alfred Weaver and Mr. Patrick Niemeyer that is inconsistent with the framework for contempt proceedings set forth in *TiVo Inc. v. Echostar Corp.*, 646 F.3d 869 (Fed. Cir. 2011). The grounds for this motion are more fully set forth in Lawson's Memorandum in Support of Motion to Exclude Improper Opinions and Arguments from ePlus's Experts at the Contempt Hearing, which is filed concurrently herewith.

#### LAWSON SOFTWARE, INC.

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#### **CERTIFICATE OF SERVICE**

I certify that on this 15<sup>th</sup> day of February, 2012, a true copy of the foregoing was filed on the Court's Electronic Case Filing system, which will send a notice of electronic filing to:

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